

# **Exhibit C**

**Redacted**

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**Von:** Sanger, Jessica

**Gesendet:** Donnerstag, 9. April 2009 16:58

**An:** 'Belinda Bulger'

**Cc:** 'Olga Martin Sancho - FEP FEE'; 'Anne Bergman - FEP FEE'; Sprang, Dr. Christian;  
'Cunard, Jeffrey P.'

**Betreff:** Problems with the German translation of the notice

Dear Belinda,

I have not gone through the entire text of the translation of the notice. But at first glance, this version is indeed better than the version I last saw. Nevertheless, even on page 1, there are some mistakes (the plural of "authors" is incorrect, and the term "successors" was confused with the term translating "assigns"), so that really we are still looking at substantial difficulties with the German text. On the whole, a German copyright lawyer would not have drafted a document in this way.

I hope this helps.

Have a Happy Easter!

Jessica

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Brsenverein des Deutschen Buchhandels e.V.

Rechtsabteilung

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-----Ursprüngliche Nachricht-----

Von: Belinda Bulger [mailto:BBulger@KinsellaMedia.com]

Gesendet: Mittwoch, 8. April 2009 23:30

An: Sanger, Jessica

Cc: Olga Martin Sancho - FEP FEE; Sprang, Dr. Christian; Jeffrey Cunard; Anne Bergman - FEP FEE

Betreff: Re: Problems with the German translation of the notice

Jessica,

Thank you so much for your input about the German translation. I forwarded your concerns the day I received them and had another firm review the translation. I have attached the new version that we just received. If you wouldn't mind reviewing it generally and letting me know if it addresses your concerns, we would be very appreciative.

(Please note that the translator said she left some terms in English followed by brackets containing the formerly used German term, since some class members might be familiar with the previously used terms, at least in the context of the original German Notice translation.)

If you believe the translation is still problematic, we will take additional steps.

Best,  
Belinda

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From: Snger , Jessica <[Saenger@boev.de](mailto:Saenger@boev.de)>  
Date: Tue, 31 Mar 2009 11:28:01 -0500  
To: Anne Bergman - FEP FEE <[abergman@fep-fee.eu](mailto:abergman@fep-fee.eu)>, Jeffrey Cunard <[jpcunard@debevoise.com](mailto:jpcunard@debevoise.com)>, Belinda Bulger <[BBulger@KinsellaMedia.com](mailto:BBulger@KinsellaMedia.com)>  
Cc: Olga Martin Sancho - FEP FEE <[omartinsancho@fep-fee.eu](mailto:omartinsancho@fep-fee.eu)>, "Sprang, Dr. Christian" <[Sprang@boev.de](mailto:Sprang@boev.de)>, Piero Attanasio <[piero.attanasio@aie.it](mailto:piero.attanasio@aie.it)>  
Subject: Problems with the German translation of the notice

Dear Anne,

Dear Belinda,

Dear Jeff,

As we have mentioned a few times, the German translation of the notice is very poor - to the extent that it is useless. I will gladly give some examples:

- "sub-class" has been translated into something meaning "working class" or "lower class" in a sociological context
- "publisher" has been turned into "editor"
- "settlement benefits" has been turned into a tax law term describing non-monetary benefits rendered by employers to their employees.

These are just a few examples of errors. I could cite many more which are equally serious. On the whole, the translation is highly imprecise in terms of grammar and terminology. To a lay person, it seems laughable, and as a legal document, the notice is meaningless in its present state. I don't think it makes sense for me to go through more examples, as the above examples should suffice to show that the quality of the translation is bound to lead to serious misinterpretation of the contents of the notice - if it is read at all,

as it is immediately obvious that it is not written in real German, so that many readers will not take it seriously in the first place.

I hope this gives you an idea of the gravity of the translation errors.

Kind regards

Jessica

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Von: Anne Bergman - FEP FEE [mailto:abergman@fep-fee.eu]  
Gesendet: Dienstag, 31. Marz 2009 16:30  
An: 'Belinda Bulger'  
Cc: 'Olga Martin Sancho - FEP FEE'; 'Cunard, Jeffrey P.'; Sprang, Dr. Christian; Sanger, Jessica; 'Piero Attanasio'  
Betreff: Follow-up of our conversation of today

Dear Belinda,

Nice talking to you

I confirm that the translation into German and Italian is very poor (according to our colleagues).

Otherwise as mentioned on the phone, bearing in mind that a large number of authors and publishers have not yet been notified (as you said of Reprobel not yet having notified the Belgian rights holders and of Dilia the Czech rights holders), I trust that rights holders should be given some more time, also as the quality and usability of

the database of the settlement are also quite appalling which makes it very difficult for rights holders to determine their position towards this settlement.

Kind regards

Anne

Anne Bergman-Tahon

Director

Federation of European Publishers

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